

MINUTES
VERNON TOWN COUNCIL REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT

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December 16, 2014 7:30pm.

Mayor Daniel A. Champagne called the meeting to order at 7:30 PM

A) PLEDGE OF ALLEGIANCE:

B) ROLL CALL:

Present: Council Members Pauline Schaefer, Virginia Gingras, Brian Motola, Steve Wakefield, Steven Peterson, Bill Campbell, Michael Winkler, Ann Letendre, Julie Clay, Fred Lehmann and John Kopec

Absent: Council Member Kim Appleyard

Entered During Meeting:

Also Present: Mayor Daniel A. Champagne, Town Administrator John Ward, Recording Secretary Danielle Forand

C) CITIZEN'S FORUM

None

D.) EXECUTIVE SESSION

Council Member Wakefield, seconded by Council Member Kopec made a motion to go into Executive Session. Motion carried unanimously.

Council Member Motola, seconded by Council Member Campbell made a motion to add additional agenda to Executive Session. Motion carried unanimously.

EXECUTIVE SESSION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200(6) (B), HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS TAX APPEAL SETTLEMENT ***TTD-CV-14-6026153-S CROWNE, CHRISTOPHER ET AL*** VS TOWN OF VERNON AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR; AND DAVID WHEELER, TOWN ASSESSOR TO ATTEND.

Council Member Wakefield, seconded by Council Member Kopec made a motion to authorize the Town Attorney to settle a tax appeal TTD-CV-14-6026153-S. Motion carried with 10 in favor and 1 abstention.

- 1) CV-14-6026153-S, captioned "CROWNE, CHRISTOPHER ET AL vs. Town of Vernon et al, "for real estate taxes on the Grand List of October 1, 2013.
- 2) The property address is commonly known as 21 Ellington Ave aka, Map 23, Block 0097, Lot 00020
- 3) 2013 Assessment Shall be: \$168,000.
- 4) The town assessor shall execute a Certificate of Correction and the Town Tax Collector to adjust the second half real estate bill to reflect the amount due of \$2,461.26.

EXECUTIVE SESSION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200 (6) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS THE **SALE OR PURCHASE OF REAL ESTATE** FOR THE PURPOSES OF COMMERCIAL DEVELOPMENT, AND INVITES TOWN ADMINISTRATOR JOHN D. WARD, AND ECONOMIC DEVELOPMENT COORDINATOR SHAUN GATELY TO ATTEND.

Discussion took place.

E.) **PUBLIC HEARING**
None

F.) **PRESENTATIONS BY THE ADMINISTRATION**

Mayor Daniel A. Champagne to make a presentation to the Town Council on various topics.

G.) **ACTION ON CONSENT AGENDA**

Council Member Wakefield, seconded by Council Member Kopec made a motion to move Consent Agenda items C# 1-5 as presented and to pull Consent Agenda #6. Motion carried unanimously.

- C 1. Request for the approval Tax Refunds for Prior and Current Years.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated December 8, 2014 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THREE (3) PRIOR YEAR TAXES TOTALLING \$2312.08 AND FOUR (4) CURRENT YEAR TAXES TOTALLING \$6778.34, AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED DECEMBER 8, 2014.

- C 2. Request the Town Council approve Mayor Daniel A. Champagne's appointment of Kenneth J. Boynton, (U), 100-25 Dobson Road, Vernon, Connecticut as a regular member of the Building Code Board of Appeals, said appointment commences on December 17, 2014 and expires June 30, 2017.** (A copy of Mr. Boynton's resume is included for Council review.)

PROPOSED MOTION

PURSUANT TO TOWN OF VERNON CHARTER CHAPTER VIII, SECTIONS 4 AND 6; C.G.S. §29-266, THE TOWN COUNCIL HEREBY APPROVES MAYOR DANIEL A. CHAMPAGNE'S APPOINTMENT OF KENNETH J. BOYNTON, (U), 100-25 DOBSON ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF

THE BUILDING CODE BOARD OF APPEALS, SAID TERM TO BEGIN ON DECEMBER 17, 2014 AND EXPIRES JUNE 30, 2017.

- C 3. Request the Town Council approve Mayor Daniel A. Champagne's appointment of John T. Mytych, (D), 53 Hany Lane, Vernon, Connecticut as a regular member of the Senior Citizens Advisory Committee, said term to commence on December 17, 2014 and expires June 30, 2017.** (A copy of Mr. Mytych's resume is included for Town Council review.)

PROPOSED MOTION

PURSUANT TO VERNON'S CHARTER CHAP. XV, SEC. 3; EST. 03-02-1982, THE TOWN COUNCIL APPROVES MAYOR DANIEL A. CHAMPAGNE'S APPOINTMENT OF JOHN T. MYTYCH, (D), 53 HANY LANE, VERNON, CONNECTICUT AS A MEMBER OF THE SENIOR CITIZENS ADVISORY COMMITTEE, SAID TERM TO BEGIN ON DECEMBER 17, 2014 AND EXPIRE ON JUNE 30, 2017.

- C 4. Request the Town Council approve Mayor Daniel A. Champagne's appointment of Andrea Nardi, (U), 30 Bamforth Road, Vernon, Connecticut as a regular member of the Vernon Arts Commission, said term to commence on December 17, 2014 and continue indefinitely.** (A copy of Ms. Nardi's resume is included for Council review.)

PROPOSED MOTION

PURSUANT TO TOWN COUNCIL RESOLUTION DATED 09-21-76 AMENDED ON 09-21-1982 THE TOWN COUNCIL HEREBY APPROVES MAYOR DANIEL A. CHAMPAGNE'S APPOINTMENT OF ANDREA NARDI, (U), 30 BAMFORTH ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE VERNON ARTS COMMISSION, SAID TERM TO COMMENCE ON DECEMBER 17, 2014 AND CONTINUES INDEFINITELY.

- C 5. Request the Town Council approve Mayor Daniel A. Champagne's reappointment of Christopher A. Haddock, (D), 38 Merline Road, Vernon, Connecticut as a regular member of the Municipal Flood and Erosion Control Board, said term to commence on January 1, 2015 and expires on December 31, 2017.** (A copy of Mr. Haddock's resume is included for Council review.)

PROPOSED MOTION

PURSUANT TO ORDINANCE #226, THE TOWN COUNCIL APPROVES MAYOR DANIEL A. CHAMPAGNE'S REAPPOINTMENT OF CHRISTOPHER A. HADDOCK, (D), 38 MERLINE ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE MUNICIPAL FLOOD AND EROSION CONTROL BOARD. SAID TERM TO COMMENCE ON JANUARY 1, 2015 AND EXPIRES ON DECEMBER 31, 2017.

H.) DISCUSSION OF PULLED CONSENT ITEMS

- C 6. Request the Town Council approve budget amendment #12, #13, #14 and #15 for fiscal year 2014-2015 as provided by Finance Officer James M. Luddecke on the budget amendment forms attached to this agenda.** (See amendment forms in the Council packet.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST #12, #13, #14 and #15 FOR FISCAL YEAR 2014-2015 AS PROVIDED BY FINANCE OFFICER JAMES M. LUDDECKE ON THE BUDGET AMENDMENT FORMS ATTACHED TO THIS AGENDA.

Council Member Wakefield, seconded by Council Member Peterson made a motion to approve budget amendment request #12, #13, #14 and #15 for fiscal year 2014-2014. Finance Officer Jim Luddecke and Director of Public Works, Bob Kleinhans were present. Discussion took place. Motion carried unanimously.

I.) PENDING BUSINESS.

J.) NEW BUSINESS

1. **Request the Town Council authorize a bid waiver for environmental consulting work at 200 West Main Street, and that said work is paid through allocated DECD MBI grant funds.** (See memorandum from John D. Ward, Town Administrator dated December 11, 2014 to Mayor Daniel A. Champagne and the Vernon Town Council relative to same.)

PROPOSED RESOLUTION:

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9 DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR ENVIRONMENTAL CONSULTING SERVICES, AND HEREBY AUTHORIZES GEI CONSULTANTS, INC. GLASTONBURY, CONNECTICUT TO CONDUCT GROUNDWATER SAMPLING COLLECTION AND ANALYSIS AT KAPLAN MILLWORKS, 200 WEST MAIN STREET, VERNON CONNECTICUT.

SAID SERVICES WILL BE PAID THROUGH MUNICIPAL BROWNFIELD ASSESSMENT AND INVENTORY FUNDING IN AN AMOUNT NOT TO EXCEED \$29,000.

Council Member Wakefield, seconded by Council Member Peterson made a motion to waive the bid procedure for environmental consulting services and hereby authorized GEI Consultants, Inc. Glastonbury Connecticut to conduct groundwater sampling collection with analysis at Kaplan Millworks, 200 West Main Street Vernon Connecticut. Said services will be paid through municipal

Brownfield Assessment and inventory funding in an amount not to exceed \$29,000.00. Motion carried unanimously.

2. **Request the Town Council endorse the Fire Department's application for two FEMA Assistance Grants for the purchase of SCBA and the replacement of an aging ambulance.** (See letters from Chris Hammick, Health and Safety Officer to Chief William Call dated December 6, 2014 ; and memorandum from John D. Ward, Town Administrator dated December 10, 2014 to the Town Council relative to same.

PROPOSED MOTION #1

THE TOWN COUNCIL HEREBY ENDORSES THE VERNON FIRE DEPARTMENT APPLICATION TO THE FEMA ASSISTANCE TO FIREFIGHTERS ACT GRANT – 2014 FOR THE PURCHASE OF 30 SCBA UNITS TALLING \$199,140.

Council Member Wakefield, seconded by Council Member Campbell made a motion to endorse the Vernon Fire Department Application to the FEMA assistance to firefighters act grant- 2014 for the purchase of 30 SCBA units totaling \$119,140.00. Motion carried unanimously.

PROPOSED MOTION #2

THE TOWN COUNCIL HEREBY ENDORSES THE VERNON FIRE DEPARTMENT APPLICATION TO THE FEMA ASSISTANCE TO FIREFIGHTERS ACT GRANT – 2014 FOR THE PURCHASE OF A BARIATRIC AMBULANCE WITH SPECIALIZED EQUIPMENT TALLING \$302,836.

Council Member Wakefield, seconded by Council Member Campbell made a motion to endorse the Vernon Fire Department Application to the FEMA assistance to firefighters act grant- 2014 for the purchase of 30 SCBA units totaling \$302,836. Fire Chief Bill Call and EMS Coordinator Jean Gauthier were present. Discussion took place. Motion carried unanimously.

3. **Request the Town Council approve the 2015 FOIA Meeting Schedule as presented.** (See memorandum from Mayor Daniel A. Champagne, to the Vernon Town Council relative to same.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY APPROVES THE 2015 TOWN COUNCIL MEETING SCHEDULE AS PRESENTED IN THE MEMORANDUM FROM MAYOR DANIEL A. CHAMPAGNE TO THE TOWN COUNCIL DATED DECEMBER 10, 2014.

Council Member Wakefield, seconded by Council Member Kopec made a motion to approve the 2015 Town Council Meeting Schedule as presented. Motion carried unanimously.

4. **Request the Town Council authorize Mayor Daniel A. Champagne to apply for a DEEP Urban Forestry Grant – America the Beautiful.** (See memorandum from Bruce Dinnie, Director to Mayor Daniel A. Champagne, John

D. Ward, Town Administrator and the Vernon Town Council dated December 11, 2014 relative to same.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY AUTHORIZES THE APPLICATION FOR AN ***AMERICA THE BEAUTIFUL GRANT*** TO REPLACE LEGACY TREES IN HENRY PARK, AND AUTHORIZES MAYOR DANIEL A. CHAMPAGNE OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS RELATED TO THE COMPLETION OF THIS GRANT OR PROJECT.

Council Member Wakefield, seconded by Council Member Kopec made a motion to authorize the application for an America the Beautiful Grant to replace legacy trees in Henry Park, and authorize Mayor Daniel A. Champagne or his designee to execute any documents related to the completion of this grant or project. Motion carried unanimously.

K.) INTRODUCTION TO ORDINANCES

L.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

M.) IDENTIFICATION/ADOPTION OF ADDITIONAL AGENDA ITEMS

Council Member Wakefield, seconded by Council Member Schaefer made a motion to move to add additional agenda items #2, #3, and #4. Motion carried unanimously.

2. Request the Town Council approve the acceptance of the property known as Amerbelle Parcel ID 40-0117-00006 and Parcel ID 41-0119-00001, from owners Hockanum Industrial Development and Venture Corporation (HIDVC-PROP I, INC.)

PROPOSED MOTION #1

THE TOWN COUNCIL HEREBY AUTHORIZES THE PARTNERSHIP WITH HIDVC TO ACQUIRE THE AMERBELLE PROPERTY KNOWN AS PARCEL ID 40-0117-00006 AND PARCEL ID 41-0119-00001.

Council Member Wakefield, seconded by Council Member Campbell made a motion to authorize the partnership with HIDVC to acquire the Amerbelle Property known as Parcel ID 40-0117-00006 and Parcel ID 41-0119-00001. Motion carried unanimously.

PROPOSED MOTION #2

THE VERNON TOWN COUNCIL HEREBY VOTES TO DESIGNATE THE NON-PROFIT DEVELOPMENT CORPORATION, HIDVC AS THE TOWN OF VERNON'S DEVELOPMENT AGENCY PURSUANT TO CONNECTICUT GENERAL STATUTES 8-188.

Council Member Wakefield, seconded by Council Member Campbell made a motion to designate the Non-Profit Development Corporation, HIDVC as the Town Of Vernon's Development Agency pursuant to Connecticut general statues 8-188. Motion carried unanimously.

PROPOSED MOTION #3

THE VERNON TOWN COUNCIL HEREBY ENDORSES THE INDEMNITY AND HOLD HARMLESS AGREEMENT BETWEEN THE TOWN OF VERNON AND HIDVC-PROP I, INC., AND FURTHER AUTHORIZES TOWN ADMINISTRATOR JOHN D. WARD TO EXECUTE SAID AGREEMENT WITH HIDVC-PROP I, INC., FOR SAME.

Council Member Wakefield, seconded by Council Member Campbell made a motion endorse the indemnity and hold harmless agreement between the Town Of Vernon and HIDVC-PROP I, INC., and further authorize Town Administrator John D. Ward to execute and agreement with HIDVC-PROP I, INC., for same. Motion carried unanimously.

3. **Request The Town Council authorize the assignment of delinquent tax liens on 98 East Main Street, Parcel ID # 40-0117-00005.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY RESOLVES CONSISTENT WITH CONNECTICUT GENERAL STATUTES 12-195H – ASSIGNMENT OF LIENS, AND SECTION 12-8 OF THE TOWN OF VERNON CODE, THE TOWN OF VERNON ("THE TOWN") ASSIGNS DELINQUENT TAX LIENS (ATTACHED HERETO AS "EXHIBIT A" AND MADE A PART HEREOF) SECURING UNPAID TAXES ON REAL ESTATE KNOWN AS 98 EAST MAIN STREET PARCEL # 40-0117-00005 VERNON, CT ("THE PROPERTY").

THE TOWN COUNCIL FURTHER RESOLVES THAT THE TOWN ASSIGN ALL RIGHTS AND INTEREST IN THE DELINQUENT TAX LIENS TO ROCKVILLE PROPERTY ACQUISITIONS, LLC. FOR ONE DOLLAR OR OTHER VALUABLE CONSIDERATION PURSUANT TO THE TERMS AND CONDITIONS OF AN AGREEMENT TO BE NEGOTIATED BETWEEN THE TOWN AND THE ASSIGNEE.

THE TOWN COUNCIL FURTHER RESOLVES THAT THE TOWN ADMINISTRATOR ACT ON BEHALF OF THE TOWN OF VERNON TO ACCOMPLISH THE PURPOSES SET FORTH HEREIN AND TO NEGOTIATE, EXECUTE, DELIVER AND DO ALL THINGS NECESSARY ON BEHALF OF THE TOWN, TO ASSIGN DELINQUENT TAX LIENS FOR THE PROPERTY TO THE ASSIGNEE. NO SUCH ASSIGNMENT OF TAX LIENS SHALL BE UNDERTAKEN UNLESS THE TERMS AND CONDITIONS OF SUCH ASSIGNMENT ARE ACCEPTABLE TO THE TOWN.

Council Member Wakefield, seconded by Council Member Peterson made a motion to resolve consistent with Connecticut General Statutes 12-195H assignment of liens, and section 12-8 of the Town of Vernon code, the Town of Vernon assigns delinquent tax liens securing unpaid taxes on real estate known as 98 East Main Street Parcel \$40-0117-00005 Vernon, CT. The Town Council further resolves that the Town assign all rights and interest in the delinquent tax liens to Rockville Property acquisitions, LLC. For one dollar or other valuable consideration pursuant to the terms

and conditions of an agreement to be negotiated between the Town and Assignee. The Town Council further resolves that the Town Administrator act on behalf of the Town of Vernon to accomplish the purposes set forth herein and to negotiate, execute, deliver and do all things necessary on behalf of the Town, to assign delinquent tax liens for the property to the assignee. No such agreement of tax liens shall be undertaken unless the terms and conditions of such assignment are acceptable to the Town. Motion carried unanimously.

4. **Request the Town Council approve the acceptance of grant funds in the amount of \$2,000,000 from the Connecticut Department of Economic and Community Development for Remedial Action and Redevelopment of the Amerbelle Mill complex, and further authorize John D. Ward, Town Administrator as authorized representative of the Town of Vernon for the execution of an Assistance Agreement and any other documents as needed for same.**

PROPOSED RESOLUTION:

WHEREAS, PURSUANT TO **CGS 32-763** THE CONNECTICUT DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT IS AUTHORIZED TO EXTEND FINANCIAL ASSISTANCE FOR ECONOMIC DEVELOPMENT PROJECTS; AND

WHEREAS, IT IS DESIRABLE AND IN THE PUBLIC INTEREST THAT THE **TOWN OF VERNON** ACCEPT FUNDING FROM THE STATE FOR **\$2,000,000** IN ORDER TO UNDERTAKE **THE REMEDIATION AND RECLAMATION OF THE FORMER AMERBELLE MILL** PROPERTY AND TO EXECUTE AN ASSISTANCE AGREEMENT.

NOW, THEREFORE, BE IT RESOLVED BY THE VERNON TOWN COUNCIL

1. THAT IT IS COGNIZANT OF THE CONDITIONS AND PREREQUISITES FOR THE STATE FINANCIAL ASSISTANCE IMPOSED BY **CGS 32- 763.**
2. THAT THE FILING OF AN APPLICATION FOR STATE FINANCIAL ASSISTANCE BY THE **TOWN OF VERNON** IN AN AMOUNT NOT TO EXCEED **\$4,000,000** IS HEREBY APPROVED AND THAT **JOHN D. WARD, TOWN ADMINISTRATOR** IS DIRECTED TO EXECUTE AND FILE SUCH APPLICATION WITH THE CONNECTICUT DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, TO PROVIDE SUCH ADDITIONAL INFORMATION, TO EXECUTE SUCH OTHER

DOCUMENTS AS MAY BE REQUIRED, TO EXECUTE AN ASSISTANCE AGREEMENT WITH THE STATE OF CONNECTICUT FOR STATE FINANCIAL ASSISTANCE IF SUCH AN AGREEMENT IS OFFERED, TO EXECUTE ANY AMENDMENTS, DECISIONS, AND REVISIONS THERETO, AND TO ACT AS THE AUTHORIZED REPRESENTATIVE OF THE **TOWN OF VERNON.**

Council Member Wakefield, seconded by Council Member Campbell made a motion to approve that it is cognizant of the conditions and prerequisites for the state financial assistance imposed by CGS 32-763.

That the filing of an application for State financial assistance by the Town of Vernon in an amount not to exceed \$4,000,000 is hereby approved and that John D. Ward, Town Administrator is directed to execute and file such application with the Connecticut Department of economic and community development, to provide such additional information, to execute such other documents as may be required, to execute an assistance agreement with the State of Connecticut for State Financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Vernon.

N.) DISCUSSION OF ADDITIONAL ITEMS AND INFORMATIONAL ITEMS

O.) ADOPTION OF MINUTES

Council Member Wakefield, seconded by Council Member Winkler made a motion to divide the question. Motion carried unanimously.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR TOWN COUNCIL MEETING OF **NOVEMBER 18, 2014** AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Wakefield, seconded by Council Member Letendre made a motion to waive the reading of and approve the minutes of the Regular Town Council Meeting of November 18, 2014 Motion carried with 10 in favor and 1 abstention.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR TOWN COUNCIL MEETING OF **DECEMBER 2, 2014** AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Wakefield, seconded by Council Member Letendre made a motion to waive the reading of and approve the minutes of the Regular Town Council Meeting of December 2, 2014 Motion carried unanimously.

P.) INFORMATIONAL ITEMS, PETITIONS, COMMUNICATIONS, CORRESPONDENCE, REPORTS, ETC. NOT REQUIRING ACTION

1. Monthly Report – November, 2014, Town Clerk, as submitted by Bernice K. Dixon, Town Clerk.
2. Invitation to Mayor Daniel A. Champagne's **Christmas Party** directly following the Town Council meeting on December 16, 2014

3. Monthly Report – November, 2014, Police Department, as submitted by Stephen M. Clark.

Q.) ADJOURNMENT

Council Member Wakefield, seconded by Council Member Kopec made a motion to adjourn. Motion carried unanimously.

Adjourned: 9:58 PM

Received:

Approved:

Respectfully Submitted,

Danielle Forand
Recording Secretary